

No. 70427

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office SEP 24 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 24 2003

The applicant **GARY PHILLIPS AND KELLY PHILLIPS**, hereby make application for permission to change the **POINT OF DIVERSION AND PLACE OF USE** of water heretofore appropriated under **PERMIT 68291**

1. The source of water is **UNDERGROUND SOURCE**
2. The amount of water to be changed **2 ACRE FEET 0.0044 C.F.S.**
3. The water to be used for **QUASI – MUNICIPAL PURPOSES**
4. The water heretofore permitted for **QUASI – MUNICIPAL PURPOSES**
5. The water is to be diverted at the following point **WITHIN THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 4, T20S, R60E, MDM OR AT A POINT FROM WHICH THE CENTER ONE-QUARTER CORNER (C¼) OF SAID SECTION 4, T20S, R60E, MDM BEARS NORTH 66°25'05" WEST A DISTANCE OF 1712.0 FEET.**
6. The existing permitted point of diversion is located within **THE SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 29, T22S, R60E, MDM OR AT A POINT FROM WHICH WEST ONE-QUARTER CORNER OF SAID SECTION 29, T22S, R60E, MDM, BEARS SOUTH 42°14'00" WEST A DISTANCE OF 1516.0 FEET.**
7. Proposed place of use **LOTS 3 & 4 OF PARCEL MAPS FILE 64, PAGE 93, PORTION OF THE SOUTHWEST QUARTER (SW¼) NORTHWEST QUARTER (NW¼) NORTHEAST QUARTER (NE¼) SOUTHEAST QUARTER (SE¼), SECTION 4, T20S, R60E, MDM, APN 138-04-703-007 & 008.**
8. Existing place of use **NORTHEAST QUARTER (NE¼) NORTHEAST QUARTER (NE¼) SOUTHWEST QUARTER (SW¼) NORTHWEST QUARTER (NW¼), SECTION 29, T22S, R60E, MDM, APN 176-29-201-004.**
9. Use will be from **JANUARY 1st to DECEMBER 31st** of each year.
10. Use was permitted from **JANUARY 1st to DECEMBER 31st** of each year.
11. Description of proposed works **WELL IS COMPLETE WITH TOTALIZING METER. ORIGINALLY DRILLED ON CANCELED PERMIT #54274.**
12. Estimated cost of works **NONE**
13. Estimated time required to construct works **NONE – 8 INCH STEEL CASED, 480 FEET DEEP, SUBMERSIBLE PUMP AND APPRUNTENANCES.**
14. Estimated time required to complete the application of water to beneficial use **ONE TO 3 YEARS.**

15. Remarks: **OUR PROPERTY THAT WE HAD PURCHASED AND HAD THE WATER RIGHTS PERMITTED ON UNDER 68291, HAS BEEN BOUGHT BY FOCUS COMMERCIAL GROUP/MOUNTAINS EDGE AND THEY ARE GOING TO REMOVE OUR HOUSE AND CAP THE WELL FOR THEIR SUBDIVISION. WE ARE MOVING TO A LOCATION THAT HAS CITY WATER AND WILL NOT NEED THE WATER RIGHTS AFTER JANUARY, 2004. WE ARE SELLING THESE RIGHTS TO A JUEL PARKER TO SERVE 2 LOTS THAT THE WELL PERMIT WAS CANCELLED ON. AFTER THE APPROVAL OF THIS TRANSFER, WE WILL DEED OUR INTEREST TO THEM AND DO A REPORT OF CONVEYENCE TO COMPLETE THE SALE.**

By **KELLY PHILLIPS**

s/Kelly Phillips

Agent: **FULSTONE ENTERPRISES, INC.**

940 So. MLK Blvd., LV NV 89106

Compared cmf/sam ag/ cmf

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 68291 is issued subject to the terms and conditions imposed in said Permit 68291 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Permit 70427 is granted to provide water service to two lots described by Clark County Assessor's Parcel Numbers 138-04-703-007 and 138-04-703-008.

The issuance of this permit requires separate totalizing meters on each of the two residences.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0044 cubic feet per second, but not to exceed 2.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

April 6, 2006

Proof of the application of water to beneficial use shall be filed on or before:

May 6, 2006

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office, &

this 6th day of April, A.D. 2004



State Engineer

Completion of work filed OCT 28 2002 under 67349

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

